

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Zelaido Rivera Garcia et al.,

Plaintiffs,

v.

Civil No. 09-1996 (JNE/AJB)
ORDER

Metro Gang Strike Force et al.,

Defendants.

On December 16, 2010, the Court approved the Settlement Agreement. Under the agreement, Defendants—public entities and officials—deposit \$3 million into a settlement fund that is to be used to pay for approved claims of class members and other purposes. The portion of the settlement fund that is not spent on specific categories set forth in the settlement agreement shall be spent on law enforcement and training. In short, a quantum of public funds has been set aside to resolve the claims of class members, and provision has been made for using any remainder for a public purpose.

The claims resolution process contemplates the submission of information by class members and Defendants to a special master who determines each claim's validity, the amount of compensatory damages to be paid, and the property to be returned. The settlement agreement provides that "all awards, payments and disbursements to be made from [the Settlement Fund Escrow Account] must first be approved by the District Court Judge."

After receiving an inquiry from a member of the media, the Court solicited the parties' views as to how much information concerning the claimants should be made public. Having considered the parties' responses, the Court declines to seal all information that is filed in the connection with the claims. *See Nixon v. Warner Comm'ns, Inc.*, 435 U.S. 589, 597 (1978) ("[T]he courts of this country recognize a general right to inspect and copy public records and

documents, including judicial records and documents.” (footnote omitted)); *Webster Groves Sch. Dist. v. Pulitzer Publ’g Co.*, 898 F.2d 1371, 1376 (8th Cir. 1990). Redactions should be made as required by the federal and local rules. In addition, hotline claimants operated under an express promise of confidentiality; they may be not be revealed as hotline claimants. Information should also be protected as required by statute (*e.g.*, the Minnesota Government Data Practices Act).

IT IS SO ORDERED.

Dated: March 30, 2011

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge